



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 8777**  
Shigeru CHIKASE et al. : Attorney Docket No. 2006\_0391A  
Serial No. 10/574,979 : Group Art Unit 1618  
Filed April 7, 2006 : Examiner Nissa M. Westerberg  
**AMORPHOUS ANTIBIOTIC COMPOSITION**  
**COMPRISING CEFDITOREN PIVOXIL : Mail Stop: AMENDMENT**

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
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ACCOUNT NO. 23-0975**

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The owner, MEIJI SEIKA KAISHA, LTD., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/530,046, filed April 1, 2005. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or

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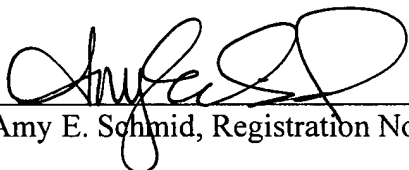
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☐ The undersigned is empowered to act on behalf of the organization.

☒ The undersigned is an attorney of record.

July 14, 2008

By:

  
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Amy E. Schmid, Registration No. 55,965

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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